



California State Board of Education Policy

POLICY #
00-06
DATE
June 2000

WAIVER GUIDELINES

Regional Occupational Centers and Programs: Percentage of Students Under the Age of 16

REFERENCES

Education Code Section 33050 et seq. and 52314.6.

HISTORICAL NOTES

None.

Education Code Section 52314.6

The average daily attendance claimed for pupils enrolled in a regional occupational center or program pursuant to paragraph (2) of subdivision (b) of Section 52314 shall not exceed 3 percent of the average daily attendance funded in the prior year for the center or program, or the following amount, whichever is greater:

- (1) Divide the enrollment of pupils under the age of 16 years in the regional occupational center or program in the 1982-83 fiscal year by three.
- (2) Multiply the amount computed pursuant to paragraph (1) by 0.25.

Background

Education Code Section 52314.6 allows Regional Occupational Centers or Programs (ROC/Ps) to enroll students under the age of 16 in grades 9 and 10 up to 3 percent of the prior-year average daily attendance (ADA). In recent years many districts and county offices of education have requested and been granted waivers of this limit by the State Board of Education, although there were various limitations and conditions imposed.

The waivers are needed to allow students recommended by their counselors/administrators to have access to and to benefit from ROC/P instruction. In many cases, students are enrolled in the district career cluster academies, but, because of their age and grade or the under-age-16 limitation, these students cannot participate in the learning opportunities ROC/Ps provide. This waiver ensures the availability of ROC/P training and services necessary to meet the greatest needs of the individual student and schools. The overall ADA and revenue for the ROC/P will not increase as a result of waivers granted.

Evaluation Guidelines

1. The ROC/P must have reached its ADA cap as reflected in the prior years' annual apportionment, **and**;
2. The ROC/P must have a reasonable expectation that it will meet its ADA cap in current fiscal year without the waiver, **and**;
3. The percentage of ADA that constitutes students under the age of 16 may not exceed 10 percent of the ADA funded in the prior year Annual Apportionment, **and**;

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4. Referrals to the program:
 - a. All youth under the age of 16 in grades 9 or 10 must be referred to the ROC/P by a school counselor, school administrator or classroom teacher to be considered for enrollment in the ROC/P, **and;**
 - b. There must be a written statement, by the person making the referral explaining why the students educational needs cannot be met without enrolling in the ROC/P, **and;**
 - c. The referral must be approved in writing by both the school principal and the director/superintendent of the ROC/P, **and;**
5. Students must be enrolled in a career technical education pathway, **and;**
6. In addition to the above criteria, students who are individuals with special needs must have an individualized education program, adopted pursuant to Education Code Section 56340 et seq., and this document must prescribe enrollment in an ROC/P.